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Attorneys for KG Parties<sup>1</sup>

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII

SPORTS SHINKO CO., LTD., a  
Japan corporation,  
Plaintiff,

vs.

QK HOTEL, LLC, a Hawaii limited  
liability company, et al.,

CV 04-00124 ACK-BMK  
CV 04-00127 ACK-BMK  
CONSOLIDATED CASES  
KG PARTIES' MOTION FOR  
PARTIAL SUMMARY  
JUDGMENT; MEMORANDUM IN

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<sup>1</sup> The KG Parties are Defendants, Counterclaimants, and Third-Party Plaintiffs KG HOLDINGS, LLC, KIAHUNA GOLF CLUB, LLC, KG KAUAI DEVELOPMENT, LLC, PUKALANI GOLF CLUB, LLC, KG MAUI DEVELOPMENT, LLC, MILILANI GOLF CLUB, LLC, QK HOTEL, LLC, and OR HOTEL, LLC

Defendants,  
and FRANKLIN K. MUKAI, et  
al., Third-Party Plaintiffs,  
vs.  
SPORTS SHINKO (USA) CO., LTD.,  
a Delaware Corporation, et al.,  
Third-Party Defendants.

SPORTS SHINKO CO., LTD., a  
Japan corporation,  
Plaintiff,

vs.  
OR HOTEL, LLC, a Hawaii limited  
liability company, et al.,  
Defendants,

and  
FRANKLIN K. MUKAI, et al.,  
Third-Party Plaintiffs,  
vs.  
SPORTS SHINKO (USA) CO., LTD.,  
a Delaware Corporation, et al.,  
Third-Party Defendants.

SUPPORT OF MOTION;  
APPENDIX I; CERTIFICATE OF  
SERVICE

CV 04-00127 ACK-BMK

**KG PARTIES'**  
**MOTION FOR PARTIAL SUMMARY JUDGMENT**

Defendants, Counterclaimants and Third Party Plaintiffs KG HOLDINGS,  
LLC, KIAHUNA GOLF CLUB, LLC, KG KAUAI DEVELOPMENT, LLC,  
PUKALANI GOLF CLUB, LLC, KG MAUI DEVELOPMENT, LLC, MILILANI  
GOLF CLUB, LLC, QK HOTEL, LLC, and OR HOTEL, LLC ("KG Parties"),  
through their counsel, Price Okamoto Himeno & Lum and Klevansky & Piper,  
LLP, hereby move this Honorable Court for an order granting summary judgment

on 1) Counts I, II and III of the Third Amended Complaints, and 2) Counts I, II and III of the Third Party Counterclaims on file in these consolidated actions.

These counts are the fraudulent transfer claims of the SS Parties against the KG Parties.

This motion is made pursuant to Rule 56 of the Federal Rules of Civil Procedure and Rule 56.1 of the Rules of the United States District Court for the District of Hawaii, the separate concise statement of facts and the declarations and exhibits attached thereto, the attached memorandum of law, and such additional authorities as may be included in the KG Parties' further briefs filed in connection with this motion, the arguments of counsel, and the record herein.

DATED: Honolulu, Hawaii, May 10, 2007.

/s/ Robert A. Marks  
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Attorneys for the KG Parties